

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

FILED

OCT 01 2007

DENNIS P. IAWARONE, CLERK
US DISTRICT COURT, EDNC
BY _____ DEP CLK

NO. 4:07cr54-180
NO. 4:07cr54-280
NO. 4:07cr54-380
NO. 4:07cr54-480
NO. 4:07cr54-580

UNITED STATES OF AMERICA)
)
) CRIMINAL INFORMATION
) (Fed. R. Crim. P. 58(b))
)
JAMES E. JOHNSON, JR.)
ABLE L. BLAND)
JOHN T. RAGLAND)
TROY R. GODWIN)
RAYMOND H. RHODEN)

The United States Attorney charges that:

COUNT ONE

On or about January 16, 2007, in Pamlico County, North Carolina, in the Eastern District of North Carolina, JAMES E. JOHNSON, ABLE L. BLAND, JOHN T. RAGLAND, TROY GODWIN, and RAY RHODEN, defendants herein, did conspire to knowingly and intentionally commit an offense against the United States, specifically to violate the provisions of the Migratory Bird Treaty Act, 16 U.S.C. Section 703, et. seq., 50 C.F.R. Sections 20.21i and 20.25, in violation of Title 18, United States Code, Section 371. In furtherance of this conspiracy and to conceal their illegal acts the group committed the following overt acts:

1) JAMES E. JOHNSON, defendant herein, purchased more than 20 tons of corn between November 1, 2006 and January 16, 2007. All such corn purchased was picked up by TROY GODWIN, defendant herein.

2) On January 12 and 14, 2007, TROY GODWIN and RAY RHODEN, defendants herein, using a boat owned by JAMES E. JOHNSON, JR., placed corn in Porpoise Creek, Pamlico County, North Carolina.

3) On January 16, 2007, TROY GODWIN and RAY RHODEN transported JAMES E. JOHNSON, JR., ABLE L. BLAND, and JOHN T. RAGLAND, all defendants herein, to a waterfowl hunting blind on Porpoise Creek, Pamlico County, North Carolina. TROY GODWIN and RAY RHODEN then left the area in the boat.

4) JAMES E. JOHNSON, JR., ABLE L. BLAND, and JOHN T. RAGLAND, from a position in the hunting blind, shot several scaup ducks, and JAMES E. JOHNSON, JR. then called TROY GODWIN and RAY RHODEN to come back to the blind to retrieve the freshly killed ducks.

5) TROY GODWIN and RAY RHODEN returned and retrieved ducks, and kept the retrieved ducks in their custody. JAMES E. JOHNSON, JR., ABLE L. BLAND, and JOHN T. RAGLAND resumed their hunt.

COUNT TWO

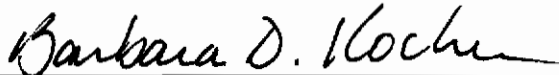
On or about January 16, 2007, in Porpoise Creek, Pamlico County, North Carolina, in the Eastern District of North

Carolina, JAMES E. JOHNSON, JR., ABLE L. BLAND, and JOHN T. RAGLAND, defendants herein, aiding and abetting each other, did unlawfully take or attempt to take migratory game birds by the aid of baiting, or on or over a baited area, when the defendants knew or reasonably should have known that the area was a baited area, in violation of Title 16, United States Code Section 704(b)(1), 50 C.F.R. 20.21(I), and Title 18, United States Code, Section 2.

COUNT THREE

On or about January 16, 2007, in Porpoise Creek, Pamlico County, North Carolina, in the Eastern District of North Carolina, JAMES E. JOHNSON, JR., ABLE L. BLAND, and JOHN T. RAGLAND, defendants herein, aiding and abetting each other, did kill migratory game birds, to wit, Scaup Ducks, and unlawfully fail to retain such birds in the defendants' actual custody, in violation of Title 16, United States Code, Section 703 and 50 C.F.R. 20.25, and Title 18, United States Code, Section 2.

GEORGE E.B. HOLDING
United States Attorney

A handwritten signature in black ink, reading "Barbara D. Kocher", is written over a horizontal line.

BY: BARBARA D. KOCHER
Assistant United States Attorney